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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,413	02/13/2001	Faruk Mehmet Omer Eryurtlu	4-15-30	1921

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LUCENT TECHNOLOGIES INC.  
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EXAMINER

RAMAN, USHA

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/782,413

**Applicant(s)**

ERYURTLU ET AL.

**Examiner**

Usha Raman

**Art Unit**

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Objections***

1. The claims are objected to because they include reference characters which are not enclosed within parentheses. Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Gn in figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to because Mobile Station (MS) is referenced as "12" in figure 1, however, it is referenced as "20" in page 3, lines 13-14 of the disclosure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. In page 3, lines 8-10 of the disclosure states that the RNC 16 is connected to an E-GGSN, (17) and through the E-GGSN to an E-SGSN, (18). However, the figure shows that RNC is connected to the *E-ESGSN*, (17) and through the E-SGSN to an *E-GGSN*, (18). Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Rostoker et al. (EP 0782365).

In regards to claim 1, Rostoker discloses the method of supplying a real time data video data service dynamically variable compression rates (coding rates) for the audio video signals to fit within a fixed RF bandwidth. Note abstract, and column 2, lines 26-37. This is achieved by controlling the compression rate of the audio packets, which in turn determines the video bandwidth. An increase in the audio BW results in the decreased video BW and an decreased audio bandwidth results in an increased video bandwidth. Note column 5, lines 10-24. A header includes two bits for defines four possible conditions of the variable compression rates: audio increase (i.e. decreased video), audio decrease (i.e. increased video), no change in audio and a preset audio. Note column 5, lines 37-42. One of the plurality of compression rates specified in the header are used for coding video data accordingly and transmitting the coded video data over an RF link to a video receiver. The no change and preset rate modes indicated in the header determines no change in the compression rate of the audio, and therefore no change in the compression

rate of the video, therefore defines the "transparent mode" in the system of Rostoker, with a coding rate of 1/1.

In regards to claim 2, the telecommunications system is a mobile radio telecommunication system, where data is modulated for one of TDMA, CDMA modulation schemes, and the coded video data is transmitted over an radio link to a video receiver in the mobile system (cellular telephones). See abstract.

In regards to claim 3, the method of Rostoker comprises two bits in the header for selecting a coding scheme, transmitted with each transmitted radio burst. See column 5, lines 37-42.

In regards to claim 8, Rostoker discloses a system of a core network (17), a support node, (14), for receiving voice/data packets, a radio network controller (16) and a mobile station (12), the system further being arranged for supplying a real time video service to a mobile user by setting a coding scheme from one of plurality of variable channel coding schemes, including a coding scheme with no compression, and supplying the coded signal to the mobile station.

In regards to claim 9, the channel-coding scheme is inherently applied in the application layer, when the video data is encoded/decoded.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rostoker et al. (EP 0782365).

In regards to claim 4, Rostoker discloses the method of specifying an increased as well as decreased compression rate in the header (including no change in compression rates, 1/1), by varying the audio compression rate. Since Rostoker teaches specifying the variable video compression rates in the header, it would be obvious to use coding rates of 2/3, 1/2 and 1/3, in order to provide specific video compression rates, thereby providing the system with a plurality of preset compression rates.

8. Claims 5, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rostoker et al. (EP 0782365) in view of Christian et al. (EP 1059776).

In regards to claim 5, Rostoker teaches transmitting data including a combination of a video payload, header comprising a coding scheme. Rostoker does not teach a packet containing TFI and applying time diversity with a further block of bits to the video payload.

Christian et al. teach a protocol for transmitting data over an EDGE network, where the header of an EDGE packet comprises a TFI and a payload with trailing bits (time diversity) in order to ensure that all packet sizes are uniform (i.e. 1392 bits). Note paragraphs 73-74 in pages 9-10.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Rostoker with the protocol as taught by Christian et al., so that the header comprises TFI and further applying time

diversity to the payload. The motivation is to support communications over the EDGE network, and to ensure that all the packets are of the same size.

In regards to claim 6, Christian further teaches splitting a block into four sections and supplying each division to separate bursts for radio transmission, where each burst occupies a separate TDMA slot (therefore increases bandwidth). It would have been obvious to one of ordinary skill in the art to further modify the system by dividing a block into further sections, and further transmitting each section in a separate TDMA slot. Note paragraphs 113-114 in page 12. The motivation is to increase the bandwidth by allotting multiple TDMA slots for the plurality of bursts corresponding to the same block. Since each of the bursts is transmitted separately, each of the bursts would require the header so that all the bursts corresponding to that payload can be identified for recomposition at the receiver.

In regards to claim 7, Rostoker does not teach providing stealing bits in each header to indicate that the payload comprises a real time video data. Christian teaches using stealing bits in the header in order to identify the type of header (i.e. the type of data). Note paragraph 73 in page 9. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Rostoker in view of Christian's teaching by adding stealing bits in the header in order to easily identify the type of data packet that is received.

### ***Conclusion***




Art Unit: 2616

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (703) 305-0376. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-308-5359.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UR  
09-14-04

  
VIVEK SRIVASTAVA  
PRIMARY EXAMINER